

KENTUCKY BOARD OF NURSING
312 Whittington Parkway, Suite 300
Louisville, Kentucky 40222-5172
<http://kbn.ky.gov>

ADVISORY OPINION STATEMENT

**ROLES OF NURSES AND UNLICENSED NURSING PERSONNEL IN
ENDOSCOPIC PROCEDURES**

The Kentucky Board of Nursing is authorized by Kentucky Revised Statutes Chapter 314 to regulate nurses and nursing education and practice, in order to assure that safe and effective nursing care is provided by nurses to the public. In response to multiple inquiries on the utilization, role and scope of practice of nurses and unlicensed personnel in the performance of diagnostic and therapeutic endoscopic procedures, the Kentucky Board of Nursing issued this advisory opinion statement.

Kentucky Nursing Laws – KRS Chapter 314 and Administrative Regulations

KRS 314.021(2) holds all nurses responsible and accountable for making decisions that are based upon the individuals' educational preparation and experience in nursing.

KRS 314.011(6) defines "registered nursing practice" as:

...The performance of acts requiring substantial specialized knowledge, judgment, and nursing skill based upon the principles of psychological, biological, physical, and social sciences in the application of the nursing process in:

- a) The care, counsel, and health teaching of the ill, injured or infirm.
- b) The maintenance of health or prevention of illness of others.
- c) The administration of medication and treatment as prescribed by a physician, physician assistant, dentist, or advanced practice registered nurse and as further authorized or limited by the board, and which are consistent either with American Nurses' Association Standards of Practice or with Standards of Practice established by nationally accepted organizations of registered nurses. Components of medication administration include, but are not limited to:
 - 1. Preparing and giving medication in the prescribed dosage, route, and frequency, including dispensing medications only as defined in subsection (17)(b) of this section;
 - 2. Observing, recording, and reporting desired effects, untoward reactions, and side effects of drug therapy;
 - 3. Intervening when emergency care is required as a result of drug therapy;
 - 4. Recognizing accepted prescribing limits and reporting deviations to the prescribing individual;
 - 5. Recognizing drug incompatibilities and reporting interactions or potential interactions to the prescribing individual; and
 - 6. Instructing an individual regarding medications.
- d) The supervision, teaching of, and delegation to other personnel in the performance of activities relating to nursing care.
- e) The performance of other nursing acts which are authorized or limited by the board, and which are consistent either with American Nurses' Association Standards of Practice or with Standards of Practice established by nationally accepted organizations of registered nurses.

KRS 314.011(10) defines "licensed practical nursing practice" as:

...The performance of acts requiring knowledge and skill such as are taught or acquired in approved schools for practical nursing in:

- a) The observing and caring for the ill, injured, or infirm under the direction of a registered nurse, a licensed physician, or dentist.
- b) The giving of counsel and applying procedures to safeguard life and health, as defined and authorized by the board.
- c) The administration of medication or treatment as authorized by a physician, physician assistant, dentist, or advanced practice registered nurse and as further authorized or limited by the board which is consistent with the National Federation of Licensed Practical Nurses or with Standards of Practice established by nationally accepted organizations of licensed practical nurses.
- d) Teaching, supervising, and delegating except as limited by the board.
- e) The performance of other nursing acts which are authorized or limited by the board and which are consistent with the National Federation of Licensed Practical Nurses' Standards of Practice or with Standards of Practice established by nationally accepted organizations of licensed practical nurses.

KRS 314.011(13) defines "nursing assistance" as:

... The performance of delegated nursing acts by unlicensed nursing personnel for compensation under supervision of a nurse.

KRS 314.011(2) defines "delegation" as:

... Directing a competent person to perform a selected nursing activity or task in a selected situation under the nurse's supervision and pursuant to administrative regulations promulgated by the board in accordance with the provisions of KRS Chapter 13A.

201 KAR 20:400 governs delegation of nursing tasks to unlicensed persons.

Advisory Opinion

1. Responsibility and Accountability of Nurses

KRS 314.021(2) imposes individual responsibility upon a nurse to undertake the performance of acts for which the nurse is educationally prepared and clinically competent to perform in a safe, effective manner. This section holds nurses individually responsible and accountable for rendering safe effective nursing care to clients and for judgments exercised and actions taken in the course of providing care.

The responsibilities which any nurse can safely accept are determined by the variables in each nursing practice setting. These variables include:

- A. The nurse's own qualifications including basic prelicensure educational preparation; knowledge and skills subsequently acquired through continuing education and practice; and current clinical competence.
- B. The "standard of care" which would be provided in similar circumstances by reasonable and prudent nurses who have similar training and experience.
- C. The complexity and frequency of nursing care needed by a given client population, the qualifications of available staff, and the accessibility of needed resources.

- D. Established policies, procedures, standards of practice, and channels of communication which are consistent with laws governing nursing practice.

Nursing practice should be consistent with the *Kentucky Nursing Laws*, established standards of practice, and be evidence based.

2. RN Role

It is within the scope of registered nursing practice for a registered nurse, qualified by education, experience, and current clinical competence, to perform acts including but not limited to the following:

- A. Utilize substantial, specialized nursing knowledge, judgment and skill in providing complex nursing acts to meet the patients' needs, including the ongoing assessment, planning, implementation and evaluation of nursing care for patients undergoing endoscopic procedures.
- B. Plan and direct the nursing care of patients undergoing endoscopy procedures, including clinical decision-making regarding nursing care, and assuring that care is provided in a safe and competent manner.
- C. Administer medications via a direct intravenous route, i.e., push, bolus, or via a central line access device. See 201 KAR 20:490 for information on the role of the LPN in IV medication administration.
- D. Provide nursing care for a patient undergoing endoscopy procedures when the patient is: a) receiving anesthesia which should be administered only by a physician or advanced practice registered nurse (APRN) designated nurse anesthetist; or b) receiving intravenous medications for conscious sedation which should be administered only by a physician, APRN or registered nurse; and/or c) when a patient's condition is unstable or unpredictable.¹
- E. Implement emergency nursing procedures for intervention in complications.
- F. Determine which nursing acts in the implementation of care can be delegated and to whom in accordance with 201 KAR 20:400 Delegation of nursing tasks to unlicensed persons. When the registered nurse delegates selected nursing acts, the responsibility and accountability for the total nursing care of an individual remains that of the registered nurse.
- G. Delegate and supervise the practice of licensed practical nurses and unlicensed personnel who provide nursing assistance.
- H. Provide endoscopic assistance, as described in Section 4 of this statement.

¹ The Kentucky Board of Nursing endorses the position of the Society of Gastroenterology Nurses and Associates (SGNA) Inc. that states in part: "...Because of the importance assigned to the task of monitoring the patient who is receiving sedation and analgesia, a second nurse ... is required to assist the physician with those procedures that are complicated either by the severity of the patient's illness and/or the complex technical requirements associated with advanced diagnostic and therapeutic procedures ..." (This does not mean that a second nurse must be present for all cases). The SGNA monograph entitled "Nursing Care of Patient Receiving Sedation and Analgesia in the Gastrointestinal Endoscopy Setting" may be obtained from SGNA, 401 North Michigan Avenue, Chicago, IL 60611, 1-800-245-7462. Also see KBN AOS #32 entitled "Intravenous Administration of Medication for Sedation."

Flexible Sigmoidoscopies

The Board issued the following opinion:

It is within the scope of registered nursing practice for a registered nurse, qualified by the necessary education and experience, to perform flexible sigmoidoscopies for colorectal cancer screening. Registered nurses should perform this procedure based upon an order of a physician or qualified provider and according to appropriately established written policies and procedures, which are consistent with the *Kentucky Nursing Laws*. Registered nurses who perform flexible sigmoidoscopies for the purpose of colorectal cancer screening are responsible for having the substantial specialized knowledge and skill to perform this procedure and should have documented evidence of completion of continuing education which provides for clinical practice and demonstrated competency in the performance of the procedure. Development of educational programming for registered nurses in the performance of flexible sigmoidoscopies should be based upon the cognitive and technical skills identified in the guideline entitled "Performance of the Flexible Sigmoidoscopy by Registered Nurses for the Purpose of Colorectal Cancer Screening," Society of Gastroenterology Nurses and Associates (2003). Registered nurses should maintain documentation of current clinical competency in the performance of the procedures. Further, the Board advises that qualified health care providers should be available for assistance in the event of complications associated with the performance of the procedure.

3. LPN Role

It is within the scope of licensed practical nursing practice for the licensed practical nurse qualified by education, experience, and current clinical competence, to perform acts including but not limited to the following:

- A. Under the delegation and supervision of a registered nurse, a licensed practical nurse may participate in the assessment, planning, intervention and evaluation of nursing care of patients undergoing endoscopic procedures.
- B. Provide nursing care for a patient undergoing endoscopy procedures when the patient's condition is predictable and stable.
- C. Perform technical endoscopist assistance tasks as described in Section IV of this statement.

4. Endoscopist Assistance² By Nurses

It is within the scope of nursing practice for a registered nurse or licensed practical nurse who possesses appropriate knowledge and technical skill to assist the endoscopist during the performance of endoscopic procedures and to perform select acts under the continuous, direct, and on-site supervision and direction of the endoscopist performing the procedure.

² Endoscopist assistance acts may include but are not limited to: injection of dye/contrast media; injection of sclerotherapy agents; and manipulation of polypectomy snare/bovie, sphinctertone/papillatome, or endoscope.

In no event should the nurse be expected to replace or assume the responsibilities of the endoscopist performing the procedure.

Nurses who provide endoscopist assistance should maintain documentation of their educational preparation which provides for clinical practice and demonstration of competency in the performance of acts.

5. Unlicensed Personnel

Unlicensed personnel who provide nursing assistance may provide nursing care as delegated by and under the supervision of a nurse. Such care may include, but is not limited to:

- A. Collecting and reporting data, i.e., vital signs, height, weight, intake and output measurements.
- B. Performing tasks of a routine nature that do not require simultaneous nursing judgment.
- C. Providing and maintaining a safe, comfortable environment.
- D. Transporting stable patients.
- E. Assisting with technical tasks or components, such as equipment—maintenance and management, as directed.

A nurse who makes delegatory decisions regarding the performance of acts/tasks by others is governed by 201 KAR 20:400 Delegation of nursing tasks (An informational copy of the regulation may be downloaded from the KBN website at <http://kbn.ky.gov>). In summary, delegation should occur only if, in the professional opinion of the delegating nurse, the act may be properly and safely performed by the person to whom the act is delegated.

In the performance of procedures, nurses should follow the policies and procedures of the setting/facility that are consistent with KRS Chapter 314, and the statutes and regulations governing operations and services provided in the setting.

The above is an opinion of the Kentucky Board of Nursing. The Kentucky Board of Nursing issues advisory opinions as to what constitutes safe nursing practice. An opinion is not a regulation of the Board and does not have the force and effect of law. It is issued as a guideline to licensees who wish to engage in safe nursing practice and who wish to minimize the possibility of being subjected to malpractice litigation.

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